

August 24, 2015  
Six o'clock P.M.  
North Little Rock City Hall Council Chambers  
300 Main Street  
North Little Rock, Arkansas

The regular meeting of the North Little Rock City Council scheduled for Monday, August 24, 2015, was called to order at 6:00 p.m. by the honorable Acting Mayor Beth White.

The prayer was led by Mr. Benjamin Vasquez followed by the pledge of allegiance, led by Mrs. Xiomara Vasquez, at the request of Acting Mayor White.

The roll having been called and the following Aldermen answered to their names: DEBI ROSS, BETH WHITE, MAURICE TAYLOR, STEVE BAXTER, BRUCE FOUTCH, CHARLIE HIGHT and MURRY WITCHER (7/0). Alderwoman LINDA ROBINSON was absent. City Clerk Diane Whitbey and City Attorney C. Jason Carter were also present.

On the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the minutes and a Special Call meeting from the North Little Rock City Council meeting held on Monday, August 10, 2015, were approved, accepted and filed as prepared by the City Clerk (7/0).

On the motion of Alderman Baxter and seconded by Alderman Witcher, and by consent of all members present, communications #1, 2, 3, 4, and 5 were accepted and filed (7/0).

1. Rev. Jameel Wesley, Pastor, Eighth Street Missionary Baptist Church, letter to City Clerk Whitbey re: request for Speed Hump on S. A. Jones Drive between the Sanctuary located at 901 S. A. Jones Drive and the Fellowship Hall located at 821 N. Hickory. (Petitions include 357 signatures)
2. Mayor Smith letter to Michael Lasiter, Redstone Construction Group, Inc. re: McCain Boulevard Overlay Project, commending work on Main Street Overlay.
3. Notice 2015 North Little Rock Fair Housing Forum – August 27, 2015, at 10:00 a.m., City Hall, Council Chambers, 300 Main Street.
4. Mayor Smith letter to Charley Baxter re: appointment as temporary Trustee, Board of Trustees North Little Rock Library Board.
5. Mayor Smith letter to Alderman Murry Witcher re: appointment as temporary Trustee, Board of Trustees North Little Rock Library Board.

On the motion of Alderman Witcher and seconded by Alderman Hight, communication #6 was read, accepted and filed (7/0).

6. Mayor Smith letter to City Clerk Whitbey re: out of town attending Solid Waste Association of North America Wastecon Conference. Alderwoman White will preside over City Council meeting.

No one signed in to speak during public comment on agenda items.

### **UNFINISHED BUSINESS**

O-15-61

AN ORDINANCE AMENDING SECTION 3.1 (REGULATIONS APPLYING TO ALL DISTRICTS) AND ARTICLE 21 (TABLE OF PERMITTED USES) OF ORDINANCE NO. 7697 (THE ZONING ORDINANCE) REGARDING FARMING AND THE KEEPING OF LIVESTOCK; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was called and held by the sponsor, Alderman Taylor.

### **CONSENT AGENDA**

On the motion of Alderman Witcher and seconded by Alderman Taylor, and by consent of all members present, consent agenda items R-15-119, R-15-121, and R-15-122, were adopted (7/0).

R-15-119 (RESOLUTION NO. 8846 – MAYOR SMITH)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN PULASKI COUNTY, ARKANSAS, THE CITY OF NORTH LITTLE ROCK AND THE CITY OF MAUMELLE FOR AN ADAPTIVE SIGNAL CONTROL PROJECT FOR ARKANSAS STATE HIGHWAY 100 (MAUMELLE BOULEVARD); AND FOR OTHER PURPOSES, was adopted (7/0).

R-15-121 (RESOLUTION NO. 8847 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE LOW BID AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH TCI TANKERSLEY, INC. FOR DOUGLAS TRAIL IMPROVEMENTS, IN THE AMOUNT OF \$171,396.40; APPROPRIATING \$143,396.40 FROM 38<sup>TH</sup> YEAR (2012) AND 39<sup>TH</sup> YEAR (2013) CDBG PROGRAM FUNDS, AND \$28,000.00 FROM WARD II DRAINAGE FUNDS; AND FOR OTHER PUPROSES, was adopted (7/0).

R-15-122 (RESOLUTION NO. 8848 – MAYOR SMITH)

A RESOLUTION ACCEPTING THE LOW BID AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH HARRIS CONSTRUCTION COMPANY FOR SCHAEER STREET IMPROVEMENTS, FROM 15<sup>TH</sup> TO 16<sup>TH</sup> STREETS, IN THE AMOUNT OF \$154,697.00; APPROPRIATING \$144,697.00 FROM 40<sup>TH</sup> YEAR (2014) AND 41<sup>ST</sup> YEAR (2015) CDBG PROGRAM FUNDS, AND \$10,000.00 FROM WARD 1 DRAINAGE FUNDS; AND FOR OTHER PURPOSES, was adopted (7/0).

### **NEW BUSINESS**

R-15-120 (RESOLUTION NO. 8849 – MAYOR SMITH)

A RESOLUTION APPROVING PARTICIPATION BY THE CITY OF NORTH LITTLE ROCK UNDER THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM'S OUTDOOR

RECREATION GRANT PROGRAM FOR IMPROVEMENTS AT BURNS PARK; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderman Hight. Alderman Foutch referenced item (b) page 1 regarding utility lines. Mr. Bob Rhoads, Parks and Recreation Director advised the lines along the roads are extension and 90% complete. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*City's share \$162,500.00*)

R-15-123 (RESOLUTION NO. 8850 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 804 ½ WEST 25<sup>TH</sup> STREET IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Witcher. Acting Mayor White convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0). (*owner: John Tolliver*)

R-15-124 (RESOLUTION NO. 8851 – MAYOR SMITH)

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 800 NORTH LOCUST STREET TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNERS TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Baxter and seconded by Alderman Witcher. Acting Mayor White convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned (7/0). (*owners: Travis and Marlo Walton*)

R-15-125 (RESOLUTION NO. 8852 – MAYOR SMITH)

A RESOLUTION APPROVING AND CERTIFYING THE AMOUNTS OF LIENS TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Hight and seconded by Alderman Taylor. Acting Mayor White convened a public hearing. There being no one present wishing to be heard, the public hearing was adjourned. On the previous motion, and by consent of all members present, the resolution was adopted (7/0).

O-15-65

AN ORDINANCE ESTABLISHING THE NORTHSORE LANE MULTI-PURPOSE MUNICIPAL IMPROVEMENT DISTRICT NO. 36 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS;

DECLARING AN EMERGENCY; AND FOR OTHER PUPROSES, was called and held by Acting Mayor White.

O-15-66 (ORDINANCE NO. 8757 – ALDERWOMAN ROBINSON)

AN ORDINANCE RECLASSIFYING CERTAIN PROPERTY LOCATED AT 3101 E. WASHINGTON AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS FROM R-4 TO I-1 CLASSIFICATION BY AMENDING ORDINANCE NO. 7697 OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS; ADOPTING AN AMENDED LAND USE PLAN FOR THE SUBJECT PROPERTY; DECLARING AN EMERGENCY; AND FOR OTHER PUPROSES, was read. On the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, the readings were suspended (7/0). On the motion of Alderman Witcher and seconded by Alderman Taylor, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: Edward T. Bridgers*)

O-15-67 (ORDINANCE NO. 8758 – ALDERMEN FOUTCH AND BAXTER)

AN ORDINANCE GRANTING A CONDITIONAL USE TO ALLOW A WAREHOUSE/OFFICE WITH OVERHEAD DOORS IN A C-3 ZONE FOR CERTAIN REAL PROPERTY LOCATED AT 11200 AND 11100 RICHARDSON DRIVE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES, was read. On the motion of Alderman Baxter and seconded by Alderman Foutch, and by consent of all members present, the readings were suspended (7/0). On the motion of Alderman Baxter and seconded by Alderman Foutch, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted (7/0). Emergency clause adopted (7/0). (*applicant: Mark Redder*)

### **PUBLIC COMMENT**

Mr. James Ard is concerned about people doing business in the city without a privilege license. It isn't fair to everyone else who pays for a license. No one seems to want to enforce the law. Bicyclists on Military are riding in the middle of the road and not using the bike lanes. Ms. Ida Nuss spoke regarding Richards Cemetery located on 46<sup>th</sup> Street off of Smokey Lane. An apartment complex was built next to the cemetery. The road they used to get to the cemetery has been removed and grassed over. They can drive over the grass, but when it rains it is like quicksand. They want the road back for access. Ms. Geneva Richards Earles also spoke regarding Richards Cemetery. The family has always had access to the cemetery. There was a black top (road) up to Fountaine Bleau Apartments until a sprinkler system was installed. They have tried to walk to the cemetery and their shoes were covered with mud. They have been told this is an accessible road and they have the right to drive across it. Mr. John Douglass Richards, VI said there are four Richards buried in the cemetery. The last time he visited, there were three people with their dogs in the road. Family members have been there for many years. There is not a state committee to his knowledge that oversees cemeteries. Ms. Freda Richard

Graham Williams is the oldest living child of John Richards (who is buried in Richards Cemetery). She has a baby buried there, along with her parents, brother and sister and two sets of grandparents. She cannot get to the cemetery in her vehicle because the road has been removed. Mr. Billy Joe Ivey comes from a large family and takes members to visit the cemetery. He reiterated what the previous speakers had said. Mr. Norman Earles said the cemetery is part of his (family) heritage and he grew up at the base of the hill. He takes his children there to visit family (graves sites). Mr. Dwayne Richards also spoke regarding the cemetery. In the 1800's the Richards settled over 640 acres in the area. The cemetery has family members who were buried there as far back as the 1800's. He too, grew up in the area. Mr. Jonathan Crouch has a lot of issues regarding access to visit the family cemetery. If you look at Google maps, the street goes all the way through. Emergency trucks can't get through there. He referred to previous comments. Acting Mayor White asked Fire Chief James Murphy if access was an issue. Chief Murphy said not on that particular road. There is access to the apartments that are perpendicular to the road. Alderwoman Ross said Thursday, August 27, 2015, the Park Hill Business and Merchants Association are hosting their first "Patio on Park Hill" from 5:00 p.m. to 8:00 p.m. at the Lakehill Shopping Center. There will be Food Trucks, Vendors, etc. Also, Sunday, August 30, 2015, the Park Hill Lutheran Church will host the "Ya'll Come Party" at the church on "H" Street. The public is invited.

There being no further business to come before the Council, and on the motion of Alderman Taylor and seconded by Alderwoman Ross, and by consent of all members present, the meeting was adjourned at 6:26 p.m. (7/0), until the next regularly scheduled meeting which will be held on Monday, September 14, 2015, at six o'clock p.m. in the City Council Chambers in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: \_\_\_\_\_  
MAYOR JOE A. SMITH

ATTEST: \_\_\_\_\_  
DIANE WHITBEY, CITY CLERK